

***United States Court of Appeals
for the Second Circuit***



**APPELLANT'S
BRIEF &
APPENDIX**

appeal
Brief for Civil

FEB 26 1976

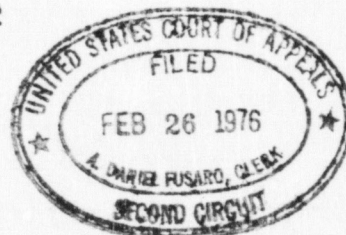
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B
p/s

BRIEF

AND

APPENDIX



UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

NATHANIEL COOPER,

PLAINTIFF,

-v-

GUARD DOYLE OGLESBY, et al.

DEFENDANTS.

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF
NEW YORK.

CASE NO. 73 civ. 2915

JUDGE BONSAL

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UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

NATHANIEL COOPER,

PLAINTIFF,

-v-

GUARD DOYLE OGLESBY, et al.

DEFENDANTS.

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF
NEW YORK.

CASE NO. 73 civ. 2915

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~~Plaintiff's notice of motion to amend the summary motion by plaintiff to review conspiracy of state officials. 28.~~

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UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

U.S.C.A. NO.

75-7054

NATHANIEL COOPER

-vs-

GUARD DOYLE OGLESBY, et al

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF
NEW YORK

CASE NO. 73 Civ 2915

JUDGE Bonsal

1st Supplemental Record.

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75-7054
75-7635
sup

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

U.S.C.A. NO. _____

NATHANIEL COOPER,

PLAINTIFF,

-v-

DOYLE OGLESBY, et al.

DEFENDANTS.

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF
NEW YORK

CASE NO. 73 civ. 2915

JUDGE BONSAL

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34.

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35.

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JUL 30 1973

(Formerly D. C. Form No. 45a Rev. (6-49))

United States District Court

FOR THE

Southern District of NY

73 Civ 2915

CIVIL ACTION FILE NO.

Judge BONSAI

Asst. Corp. Counsel

Gen. Rep.

696 51

Nathaniel Cooper
Plaintiff

v.

Guard: Doyle Oglesby
Defendant Department of
Social Service

To the above named Defendant s: City of New York
Corporation Counselor Municipal Building

You are hereby summoned and required to serve upon Nathaniel Cooper address
372 Miller one Brooklyn NY Zip 11207 apt one

Prox se at This Time
plaintiff's attorney, whose address

request to
E.C. not mentioned
life, liberty & due process

an answer to the complaint which is herewith served upon you, within 20 days after service of this
summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be
taken against you for the relief demanded in the complaint.

RAYMOND F. BURGHARDT.

Clerk of Court.

5568 / 73 *P me fier*

Deputy Clerk.

Date: *July 2, 1973 A.D.*

[Seal of Court]

NOTE:—This summons is issued pursuant to Rule 4 of the Federal Rules of Civil Procedure.

Issued under Rule 4 of Summons
Paragraph Section 6 Service
on and clerk officer

VS DC Nathaniel Cooper
V
Guard Doyle Oglesby
PT1 DSS 7th Division
Coporation Counselor room
1503 Municipal Building 2-10007

Proof of
Service

Civil Complaint is To
Be acted upon
First

State of New York }
County of Manhattan } ss:

Nathaniel Cooper being duly Sworn according To Law
deposes an Says That he has upon This day Cause To be
Served upon respondent. here in True Copies of all paper
Submitted To This honorable Court + Hon: Clerk

Addressed As Follow

Section 19 of The Criminal Code U.S.C., Title 18, Sec. 51
if Two or more Persons Conspire To Injure, oppress Threaten, or
intimidate any citizen in The free Exercise or enjoyment of an
right or privilege Secured To him by The Constitution or Law of
The United States, or because of his haveing so Exercised The
The Same, or if Two or more persons go in disguise on The high
Way, or on premises of another, with intent To prevent or hinder
his free Exercise or enjoyment of any right privilege so
Secured, They shall be fined Not more Than \$5000 and imprison
d Not more Than Ten years and shall, more over, be Thereafter
ineligible To any office or place of honor, profit, or
Trust Created by The Constitution or Laws of The United
States (R.S. 5508; Mar. 4 1909, C. 321 § 11, 35 Stat. 1092

[Footnote by The Court]

NEW YORK
SEAL OF THE CITY

Date July 2, 73
New York City

Sworn To me 2ND day of

JULY 1973

Respectfully
Submitted
Prox Se*

* Nathaniel Cooper
372 Miller Ave
Brooklyn NY
Zip 11207 apt 1

M. Harry Schuch

Notary Public Seal

Notary Public Seal
M. Harry Schuch
Notary Public Seal
Commission Expires 12/31/75

UNITED STATES DISTRICT COURT

Nathaniel Cooper

Plaintiff

against

Guard Doyle Oglesby PT DSS

Corporation Counselor

Municipal Building

Southern District of
New York

Formally Notify

Department of Social

Service of 220 Broadway

Manhattan City of New York.

giving information to a Brutal Beating and Robbery Feb 13, 1973

assault and Robbery and arrested December 19, 225 PM 1972

at Mediacade Building 330 Jay Street Brooklyn NY The City Did

Take Prompt investigation in its own behalf as early as Decem-

ber 26, 1972 when I Complaint to investigation Department of

The Money Taken and assault were treated at hospital.

Plaintiff Claims he were the victim of a Conspiracy have the

start made such claim Petitioner were not on welfare. I were

I were sent to such Department from my school at the time

I were very seriously hurt physically is under a Doctor Super-

vision. With my numerous Complaints with City I have not as of

This Date Recovered Funds Remove from Clothen. The Court in

where such Bogus Charge as Resisting Arrest (sec 205 Penal

Law) Disorderly Conduct (sec 240.25

Penal Law) OBSTRUCTING Government administration PL 195.05

Criminal Trespass PL 140.05. were Dismiss 2/26/72

Declaration of Complaint

UNSUBELL V. Edwards, 63 Kan.

610, 66 Pac Rep. 641.

Consists of a Formal Allegation
of Charge against a party made
or presented to the appropriate

Court or officer as for a wrong
done or a crime committed. The
Term is not always limited to
Charges of Crime or wrong, and
it may be that in some statutes
it comprehend oral as well as
written allegations

NOT The Court or any one have Refund Such Funds
To This Day. were Told By The Supervisor at Jay Street 330 The
is Brooklyn. To Return To Said Center with Letter Statzing
income were \$6.93 per week. and would be giving well fare.
To I have Such Certified Letter giving To me ON 12/17/72 at
School, My School only Pay 50 per week Less if Days are in
I Could not pay \$35.00 Rent Per month with Such income and
have care fare and Lunch. plus Support Wife, Two Kids so
School Understood My Problem and Sent me To Said Center
with Letter STATED I Earn 50 per week, were Refuse Social
Security Funds be cause I had no Defisit so They so, They
Claim. I Completly Disagree But at any event I were
Promise by The Supervisor if I Could get Such Letter and
Return before her she would help me. This were before
I arrive at center 330 AM 800 AM outside in Street. Return with
Letter STating Earning of \$6.93 if put on Social Service
could get Such True Letter. For which I have payed Tax since
1956 very much so, But on My arriviel were met at Door
at 2:15 or so PM. and Refuse in Terrie To a Public Building, or
To My Surprise, Did Return at 2:25 or so. With Witness. Did
NOT See Guard. I feel he went To Report his Task of
Violation of My Civil Right as well as 13 and 14th amendmen
Regardless of Race or Color and giving The Party aggrieved a
Right To Recover a Penalty for The offense on 10 AM June
917. See Civil Rights cases 109 US 327 Led (US) 336, 35
CT Rep 13.

See Screws v. UNITED STATES 325 US. 91, 65
SCT. 1031 89 L. Ed. 1495 (1945)

Federal Protection of Negro Right 46 Col. Rev. 94
(1946)

Constitutional Right any Right which is guaranteed
by the Fourteenth and 13th amendment protecting person
against being deprived of life liberty or property
with out due process of the law and with the State
cannot interfere see Delaney v. Plunkett 146 Ga. 547 L.
R.R. 1917 D, 926 931, 915 E. Rep 561

And The Defendants has had a reasonable opportunity to
comply with such claim as 5 stitches to lift fore head
from night stick with steal interior, meat tail inside
knock unconscious while in hand cuff knock in nose and
mouth, By a second white Guard have been refuse
his Name Denial work cost \$160.00 loss at school do
to time in jail \$40.00 10.00 8 Tokens Robbed of, Head pains
Ever Other Day nose bleeds very Bad in Jail. The
General Municipal Law Section 50e for which cover such
claim The Time Limitation of one year and 90 day after
happening of Event upon which a claim against a County
is Based for Commencement of suit is not
Extended by The Fact That Time on appeal (none in this
case) from an order permitting late filing of Notice of Claim
is still pending as a plaintiff is free to commence
his action at any time following 30 Days from

Service of Notice of Claim *see* Shane v. Albany County
44 M2d 100, 252 S2d 962 (1964) Payment There of
has been neglected or Refused.

Corporations are liable for Their Torts as are
Natural Persons New York & N.H.P. Cox, Schuyler
34 N.Y. 30, 49 (1865)

Plaintiff is filing Duly Now so as not needing
Subdivision 5 of General Municipal Law Section
50e at Neglect To file in The one year 90 day Time
Limit To not need labeled notice of Claim
Parker v Board of Education 213 S2d 482 (1961)

any needed information not
found here will be produced at Court

Date July 1, 73

New York City

Sworn To me 2nd day of

JULY 1973

Respectfully
Submitted

Prox Sex

x Matthews Cooker

372 Miller Ave Brooklyn

NY 21207 apt 1

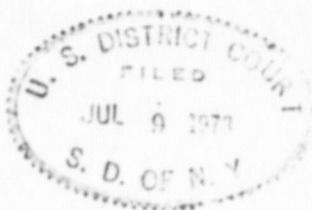
Mr. Stanley Schuyler

Notary Public Seal

Plaintiff
against

Guard: Doyle Oglesby

Corporation Counselor ^{municipal}
Building



Order for Appointment
To Serve Process

Upon plaintiff order and affidavit of Nathaniel Cooper
in the within action, for an order appointing Carlacy Enoch
residing 200 to 144 ST New York City 210032 To serve the summons and
complaints herein upon the defendants; and qualified persons
over 21 years of age and not parties to or attorneys in this
action and that substantial savings of time after the
marshals officer have not serve summons in one
way: as there are timely legal paper to follow this
complaint in no more time will be lost in such appointment as
marshal service

It is ordered that Carlacy Enoch be and hereby are appointed
to serve the summons and complaint herein on
defendants

Dated New York, New York

July 9, 1973

Richard F. Gagliardi
Clerk

copy of one copy
R. Modry
Asst Corp Counsel

UNITED STATE COURT
For Southern District

Nathaniel Cooper

VS

Doyle OGLEsby
Steven Davis
Supervicer Mrs
Gud soul
Dept of social Service
Dept of Comptroller

State of New York }
County of New York }

Proof of
Service

Stamp on Docket
as supplemental To
Complaint as To

Show Violation of Comptroller
and Supervicer of Welfare
Department

73 CIV 2915

RCNSAL

Nathaniel Cooper being duly Sworn according To Law
deposes and Says That Rule 71A of F.C.P and Rule 15
amendments and Supplemental Pleadings F.R.-Civ.-P
and that he has upon this day cause to be served upon
Respondent here in True copies of all papers submitted
to this honorable court and respondent by placing
same in the hands of Department head of the City of
New York as stated by Comptroller all claims against
City or employecs shall be file with Comptrollers
offices
Addressed As Follows

Hon Clerk of Southern District Court

Sworn To me This 17TH day of

December 74

Mr. Stanley Schuler

Notary Public

Respectfully

Submitted

x Nathaniel Cooper
372 miller Ave
Brooklyn NY 11207

aglesby were employed until
known 1974 Suburban tracks North

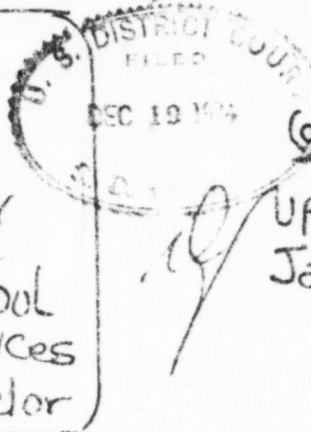
United State Court

173 CIV 2915 BONSM

Nathaniel Cooper

VS

Guard Doyle Oglesby
Steven Davis
Superviser MacCodsoul
Dept of Social Services
Corporation Counselor



Attachment To Complaint
File July 2, 1973

(d) Section of Rule 15 FRCivP
Rules and Rule of 71A*
Upon motion of a Party as amended
Jan 2, 1963 effective July 1, 1963

New York State
County of New York }

Constitutional Law 3182
Social Security and Public
Welfare 8

28 USC A.S. 1331, 1337, 1343;
42 USC A.S. 1983, 1988 USC A Const
Amend. 14 Social Security Act 1 et seq

Plaintiff File This attachment To Complaint as To Clair-
fie The Violation Of This 14 amendment Through The
like of Department of Social Service give him his
Due process clause Govern and secured by The 14 amend
ment. by Failing To Comply by IT own New York State
Charter Law which Forbied The Deniel of
3 Citizen of New York State ho were in great Need
Funds for Rent and Food persons having been
onvicted of Serouse Crimes and Plaintiff
aintiff Brought out This Fact in a Examination held at
orporation Counselor offices 10/18/74. Now Corporation
ounselor have been sued herein as well have also
iolated Plaintiff civil Right By Failing To Protect
his National Rights by Taking away The Equal Protection
of The Law. Stated as followed.

In my attorney is
Rafael Lacot

up town 662 0050
town 227 2767
down

The City of New York Dept. of Welfare Pull a
Multirace Conspiracy on Plaintiff on the afternoon
of Dec 19, 1978 at about 2250 or so at 1130 AM same day
Plaintiff were in form even though he had only earn
5 dollar in 3 weeks and had Rent of 13500 per month
had No Deposit Plaintiff Total Disagreed But
at Could I do. Plaintiff inform Supervisor I could get
letter stating My Earning From school of 8 hours per
day 5 day per week would be Reduct From 50 per week
if day are miss I could get letter stating My Earning
would be 695 per week Mrs Cod Soul inform me if I
could get such letter I could get welfare I left
1130 AM. on My Return at about 2 PM a Guard Name
Oyle Olesby Refuse me inter in a Public Building.
Violated My 14 amendment denied me The Public accommodation
or facilities 13.2(2) Civil Right Federal, Plaintiff left Building
get witness who left Train with him whom went to a near
Store. on Return at about 225 PM. The Guard were
one I Stated in Original Complaint I feel he
went to Report his Task. Now I interd Building 330 Jay St
ok letter to Deskil The Case worker were there
it Refuse to answer me when I inform her I had
return with letter stating My Earning at school were
Reduce to 695 per week. I were standing in that

Position for about one minute and were Taped
off Shoulder By Guard Doyle Oglesby and ask
to Come with him I went with out The First Complaint
in entering The Room I were Struck in Top on head
FT, Side, Knock To floor half UNconscious I don't no
ST How Long I were on floor but on my Rise To My
feet, I were hand Cuff and Knock To The floor
again By Steven Davis hit in nose and mouth and
later Taken To hospital and Then Jail were I had Bad
sc Bleed. Now I Request The Court To Take Review
What Reason Plaintiff were affect on Being in
Building only one minute if NOT a Conspiracy Section
(30) Plaintiff have use yet The Judge have Fail to Rule on
How order These men to interfere with Legal
Business Plaintiff had at 330 Jay ST Brooklyn New York
- Court May as well act on Plaintiff Points of Law
a Act of Congress has been Declaired 42 USC A.
18 and I have inform My Congress man Look out for
Complaint To The Sub Committee Pluss The adminis-
trative office of The UNITED STATES Courts Washington DC 20544
- Criminal Charge were dismiss march 26 1973.
Plaintiff were Robbed of \$10 dollar & Subway Token. Indeed
- Failure of The Super vicer To open welfare Case
on Plaintiff inform her My Rent were 20 Since Dec 1

-1972 the Call Land Lord with Lease of apartment
I gave Supervisor at 830 AM Dec 19, 72 The Court
we all Certified Paper as to Jail, Letter, from school,
hospital Record. OK can The Court Explain why Plaintiff
were attack on been in Building only 1 1/2 minutes
Demand, some one To give The answer as
there is none other Than a Conspiracy a child can
see that and The District have a copy of The Complaint
with Criminal Statutes section 19 To injure code u.s.c.
Title 18, Sec 51 a Fine of 5000 and Ten year in Prison. So it is
plain and Proper for Plaintiff To charge in The
Original Complaint The Supervisor and Dept head
if welfare with Conspiracy To injure Pluss Tales Imp
sonment, To Cover up There attempt murder I still have
head pains. The Department Fully Violated My 14 amend
ment starting with failer To open case on Proof Plaintiff
were in great need according To New York Charter Law as
late at hear and Examination 10/18/74 Plaintiff Brought IT
UP at a Preliminary hear held 10/17/74 Room 706 Before hon
Judge Bonsal That Plaintiff Should have been give
ing Subplimentary check To coin side with 50 per
cent Earning at school. The Case were not open more
did Supervise wright Plaintiff To my address saying
my Case had Been granted be cause The School
could have okait That my Earning had been Reduce To 695

Now she had School Phone Number also Department
of Welfare Violated Ever human Right Plaintiff had
as I stated in November 1974 argument from the 80th Congress
Report to the President's Commission on Civil Rights and its Report to
Secure These Rights Feb 2, 1948 Report 1947. Now The Corporation
Counselor have Violated My 14th amendment By Denying Plaintiff
Right To Equal Protection of The Law Two of There Lawyer were
reported To The New York Bar association Grievance
Committee March 18, 1974 as They held a hearing June 21, 1973
a Lawyer For Comptroller Mr Guttentag he promise me
that I would Receive a copy of hearing in 30 days I did
ask him on June 28 I put in legal motion and I complain
The Judge From August 1973 Ever month and have a file full of
Motion To Prove Ever month I put in a motion in US District Court
the clerk To The Judge inform me he had call Mr Thomas
Orchill and Saul Bernstein To mail me copy of minutes To The
hearing Nothing work until I put a notary motion threatening
to sue them in Federal Court on grounds Under 18 USC section
2385 Conspiracy To Deprive Plaintiff of his due process
of The Law and Equal Protection of The Law By conspiring
with Comptroller in a class. Plaintiff had minutes
plus a letter From The head of Grievance Committee
also The Comptroller have fail to live up To There on
law of Bureau of Law and Adjustment and investigation
his Body is To pay Damage made on persons
by city vehicles or person They have even fail To pay
Artist or Doctor Bills indeed They
Dentist

City
There Pan is to blame Guards for
Liability Bills and Doctor Bills
damage

RUSH

on any clerk officer
or Chief Executive

Fact of The Comptroller denied me my Due
Process of The Law under 18 U.S.C Section 241+242
Conspiracy To Deprive Plaintiff What The Law
says he can have. They Violated my 14 amendment
on Top of The Fact That Ever Paper They Submitted
to This District Court have Been False Statement
Said Ever Paper Contain Erroneous False State
ment about 5026 member of Comptroller were Report
d To hon Judge Bonsal in August 1973. For Bad Con-
ict, check The Record of Plaintiff For Proof. Now
use of These Facts Plaintiff have Just Right To
use Each and Ever member in This New Complain
and Each and Ever one will Recieve a Summon
in a few days The Marshall have summons, also
Plaintiff want Prompt Trial. as Requested in march
1974. I have Use Many Points of Law so I And no need
use Them in This Complaint but will Read Constitutional
Law in my closing Statement civil Right 13.7 Liability of
State officals Liability of Municipalities and Counties
their Officers s. 13.8(3) We have Said The Prohibitions of The
fourteenth amendment are addressed To The States.
they are. NO STATE shall Make or enforce a law which
shall abridge The privileges or immunities of citizens
of The UNITED States.... nor deny To any person

Within its Jurisdiction The Equal protection of the
Laws They have Reference to actions of The politic
body denominated a State by whatever instruments
or in whatever modes that action may be taken A State a
by its legislative its executive, or its judicial authorities. it
it can act in no other way. The Constitutional provision theref
must mean that no agency of the State, or of the officers
or agents by whom its powers are exerted shall deny to
any person within its Jurisdiction The protection of the Law
Whoever, by virtue of Public position under a State govern
ment. Deprives another of Property, life or liberty without
due process of Law, or denies or Takes away The Equal
Protection of the Law or Denies the Constitutional or violate
it is inhibition and as he act in the name and for the
State from Oglesby Tom Thomas Burchill and disclose
with the State's power his act is that of the State This
must be so or the Constitutional prohibition has no
meaning then the State has clothed one of its agents with
power to annul or to evade it.

Sworn To me This 18th day of
Dec
1974

NOTARY Public

Respectfully
Submitted
X Nathaniel Cooper
372 miller ave
Brooklyn NY 11207

Index 75-7635

To be argued by
Nathaniel Cooper

United States Court of Appeals
For The Second Circuit

~~Nathaniel Cooper~~ Appellant Plaintiff

—v—

Guard Boyle OGLEsky and Steven Davis

and

Defendants

City of New York Department of Social Services;
Corporation Counsel; and Mrs Cudsoe, Supervisor,
Department of Social Services 330 Jay St, Brooklyn,
New York,

ON appeal from The UNITED STATES DISTRICT
Court For The Southern District of New York

Appellant Brief

Pro se attorneys for Plaintiff
Nathaniel Cooper
372 Miller Ave
Brooklyn New York 11207
212:4981624

For Education we should
Dream of an aristocracy
of achievement based on a
Democracy of opportunity
Public welfare is funded by
Federal as well as State Government
The State have no right to DECIDE one in need!

Preliminary Statement Plaintiff still have ~~had~~ Pains To This day
a Biase Judge and Jury Did Denie Plaintiff a
Fair Trial it is a Reproach to the Administration of Justice Trial
Cannot or should not be so unfair upon it Rests the Confidence
of the People, in the Administration of Justice The importance of fair
ness in a Judicial Trial cannot overlook poor man rich man The class
Distinction has been deeply impressed upon the Consciousness
of the American people. Not only does the average poor man
feel that in opposing a rich man in the Courts he cannot obtain
Justice, but his feelings substantiated by the Findings of Social
Investigators and publicists the prevalence of unfair trials has
Reached the proportions of a National scandal The vicious
interrelation between politics and the Judiciary disclosed
by the Maurice Nadjari someone Squealing on Conningham
also the Seabury investigation in New York exists in practically
every large city in America Political corruption is not by any
means the only factor making for unfair trials an even more
more insidious and wide spread evil is the Corruption This is
caused by innate bias and prejudice of too many of our Judge
-s against certain social classes I also must point out
here I am holding this Judge Responsdible For much UN Rest
For much Cruelty and Lawlessness Plaintiff here
Expect ~~full~~ Relief and there will continue to be unrest
until I Recieve My pay Ment For head Pain and Suffering

Public accommodations or Facilities
Statement of Facts 13.2(2) Civil Rights Federal

Plaintiff Were a victim of a Conspiracy
Section 11 of The Criminal Code sec Title 13 Sec 51
Plaintiff 14 amendment were Grossly violated, when The Judge
Miss Places or The Prosec clerk Miss Places them, the Depart-
ment of Social Service giving To the attempt murder charge
as well as To Denie Plaintiff Welfare and in doing so violation
It own New York charter Law Plaintiff did Refer To this Violation
In a Examination held be for the City Municipal Lawyer Mr Burchill
On OCT 18, 1974, Plaintiff Did File and attachment To Complaint
On 18 day of November 1974. That Can Fully Explain the many
Violation of the Department of Social Services and Dept of
Comptroller. Plaintiff Did Prove his case on NOV 11, 1974
In Federal court. yet were Denied for The Second
Time on points of Summery Judge ment. I File a
Complaint To the administrative office of The United States Court
They did look in To the charge and it were as they had said
That The Judge Bonisal had Not interred a Final Order
I Will Submit a copy of the Complaint and a copy of
the attachment to Complaint File 712/73-12/18/73 with
this appeal Brief appealing The Lawless Judge Plaintiff
were intital To a Fair Trial. he did NOT Receive such
and have notified The appeals court. of The Conduct of
this wicked Judge causing so much un Rect

7 Continue with the statement of Facts

The Many Records that the appeals Court did receive are now missing I have Name the Group I Believe Responsible for the missing of the earlier papers of Nathaniel Coopers papers. OK I will get to the Facts of Trial after the District Judge Refers to were Reverse by the Second Circuit Court on June 7 or 11 prior and he Decided to Override The Second Circuit Court This were Refers to a memorandum and show cause order. File by Plaintiff November 21, 1975 concerning The out Request manner of the Judge. OK on or a week before Sept. 75 Plaintiff did Receive the Notice by Phone short notice to appear for a hearing at which Time I Requested November in August of that year for November. yet I were call of My Job. To pay a court attendance for which I could not postpone. yet the city were granted 4 Delays please check in DEPT When plaintiff arrived at the hearing I had notified The Court at 930 am that morning that I would be late because I were looking for the Eye witness I could not reach him at his home I Learnd Later he interred the hospital The Night before the hearing of Sept. 9, 1975. when I Plaintiff did appear at 1015 15 minutes Late The Judge were Taking Testimony from one

Guards Doyle O'Leary, stating his Lie on the Stand
That he Read my Right To me on placing me under
arrest. This were going on this hearing on Sept 9th at 10:12
No Lawyer There To Speak For The Truth or To answer. This Plaintiff
Feel were a violation To his right. Plaintiff were ~~False~~ ^{False Lee} Less arrested
~~13.4(3)~~ ²²⁷⁽¹⁾ arrest and detention. Other Violation ^{8 Principal}
and agent. master and servant ³⁰²⁽²⁾ Social Security act
406(a) 401/42 USC § 601 b06(a) The Conduct of Social Service
Conflicted with Social Security act civil right violation ^{13.7}
for Liability of State official as individual ^{13.8(3)} in the case of
and Counties and Their officers Under 1985 (3) and 1983 civil right
act 42 USC § 1983 Fed 519. and 1981 and 1988 and 1982 The Bias
Jurie did NOT attempt To Review The Fact of The Case There
were not one person Black on That unkind Jury as well
Same as Lawless Judge. These are some of The Fact
Of The Trial held against Plaintiff Wash, The City was able
Obtain Four postponement. yet Plaintiff were not able To
Obtain one Delay. The Counsel did NOT have a full Review
Of The Case. he Tried To get Delay. Plaintiff Tried To
Obtain a stay until ~~new~~ ^{new} evidence of State merits of
of the officers. The Judge Denied my motion For
Trial in November and requested. and he denied
Plaintiff Motion For Miss Trial. we did NOT have
many peckings of the Jury.

There were a Type of Jury They Equal The Judge
They Never Requested any Evidence and The Biase
Judge Continued To Denie Plaintiff a Fair Trial
On Sept 9, 1975 Guard Doyle O'Glesby did Denie he
Robbed Plaintiff but Steven Davis Did admitted he Turn Property
Over To Center Polices Offices did Not Receive Receipt
Plaintiff. Proved at hearing of Sept 7, 1975, That This is Not
Correct and The Prisoner Keep his property in the Bull Pen
until Called out. An the property is then Dumped on the table
and you are giving property slips. Plaintiff Made this very clear
at hearing so the conduct of The Judge must be Notices
as he were well aware of full case. yet chose to side
With the Defident. ^{VE} Judges, who give judgments by law ought
To be obedient To the law.

Introduction

Despite The many motion of Plaintiff at Great Cost and
Time. not one Motion For Summary Judgement ^{Granted all were} were Denie
The many motion For Counsel in The Early days of This Case
The many Complaints of Plaintiff Concerning The Lawlessness
of one Judge Bonsal. I hear many warning of america
as doom and I my self have seen it For 15 years but Law
lessness to Denie student welfare For education we should
dream of an aristocracy of achievement base on a Democracy
of opportunity. Plaintiff were Denied welfare For Food and Rent

Oglesby were employed until
January 1971 Sullivan took birth

Background assault Robbery and arrest and detention
This fact were proved at Trial I had Record To prove I had
been keeping jail For 5 day yet the Jury did not Convict
The men on Any Thing The Judge made it clear his side
he were on, did NOT allow plaintiff To Refer To The hearing
of Sept 9, 1975 This were Oct 16 + 17, 1975 This I no were a great
Violation of my Constitutional Right. Guard Doyle's Oglesby
did on Sept 9 state The Fact That I Ripped his Coat on Dec 19
1972 it were about 30 Degrees he were on The Door I have his
statement in The minutes of This hearing Dec 22, 1972 so
on Oct 16 + 17, 1975 he Oglesby Denied he were wear
ing a Coat. I Testified that he were wearing a subrubening
uniform Police Jacket or coat so The Fact remain is That
he did state he were wearing a coat on Sept 9, 75 so he is clear
by a Lieyer at Large I do Expect you Judges To Order The min
utes To Review The Fact herein as well The City shall have
Transcript To Refute any state ments herein or Then The
State ments herein are True. The District Judge did Denie
Plaintiff The Right To Read any state ment of my legal paper
or motions more were I permitted To show The Biase
Juries any of The papers were denied The Right To show or
address The Juries The Papers, The City Lawyer att
Richard Stinberg were permitted To have freedom To move as
The Lawless Judge more on his side

The Defendants
 Were Notified To appear before The Department of Investigat-
 on as Plaintiff File a Complaint againsts The Two Guards
 Davis and Oglesby. on Feb 13, 1973. after a ninth month
 Past, The The Department of personnel sent me
 a letter stating the fact that niether Guard showed
 up To Explain The assault on The Plaintiff when Plaintiff
 attempted To Read This and ask The Guard Oglesby
 Why he did not show up The Judge interferred and Refuse
 To allowe him To answer This would have Showing The
 Jury That The Guards did fail To answer To The
 Charges of Robbery and False imprisonment and
 Robbery. I Now This were a nother great Violation To my
 Right under 6th and 13th amendment To a fair trial. The
 is No Dought in My Mind This Lawless Trial must and
 Should Be Reverse in the interest of Justices
 and humanitie. When The Plaintiff on direct examination
 ask Oglesby why he did NOT charge Plaintiff with assault
 as he stated I Beat him up, and others. mind you The
 Story of This Guard was one perison Beat up
 Two or Three welfare Guard This were the State
 ment of Oglesby on Oct 16, 1975. yet I were never
 Charge with assault For Knocking his glasses off
 as State by him in Dec 22, 1972 I have minutes

Lawless Trials can only breed Great Unrest
an No Society can surely be flourishing and happy
of which the far greater part of the members are
poor and miserable. The world we live in has under-
went many and startling changes since the birth of this Nation
at the time, ninety percent of the three million population
lived on farms. The largest city had about thirty thousand people
The Steamships the Railroad and even the simple sewing machine
had not yet been invented. There were no house of Morgan, no
Steel Trust, no public utilities or large scale production no
Radios, wireless or airplanes. Concentration of ownership
and Control of Wealth, mergers and stock markets
were unknown there were no Labor Unions, employers
associations and Chambers of Commerce; no controversies
over the use of the writ of injunction in labor disputes
or over the regulation or ownership by the people of public
utilities and Natural Resources.
Civilized life as we know it was confined close to the
Atlantic Seaboard. The development of our industrial civilization
has created problem of which the inhabitants of this earth
a hundred two years ago were completely unaware, but
which today affect great masses of people and create im-
portant social issues. Our dependence upon public
utilities and the complex structure of our basic industries

Social issues

have made their Regulation and Control by Governmental agencies a matter of primary social importance.

However industrial interest which have accepted governmental paternalism in the form of beneficial Tariffs Tax exemptions and Subsidies have attacked as paternalistic Those who advocate government ownership or operation of industry, and have made it Difficult To enact social legislation of a Regulatory character. attempts To employ or even Regulate Socially Necessary industries for the Public Welfare are Frustrated by the economic and Political power of wealth. In spite of this almost insurmountable obstacle income tax laws limitation of hours of labor, minimum wage Laws workmens Compensation acts and laws limiting Child labor have in one form or another been placed upon the Statute books. When legislation has threatened the interests of the dominant financial powers they have appealed To the Courts for sanctuary. Judges have lent their aid To nullify important social measures, not in ignorance or error of the Law, but in flagrant violation of their Trust in the Case of Social measures or Labor laws the Courts have all too often ignored the Rule of Constitutional Construction laid down by the Supreme Court Early in our history.

and that every possible presumption favors the validity of a law. Important Social Laws enacted for the protection of the lives health welfare and liberties of the workers have not been given this benefit of Constitutional validity, and have been legislated out of existence by adverse Judicial decisions.

The Lawless Judge attempted to play down the Conspiries by stating the fact the two Guard were the only ones to Blame yet I told the Jury if this were so when I put the letter stating the fact my income were cut to 6.93 per week and were waiting for the Case worker to review the letter I were approach from the Hear an were ask to go with the Guard if the Dept of welfare did not conspire to main me. Just why did the Case worker fail to stop the Guard Doyle Oglesby and explain that she were reviewing my case. Just why did she allow him to take me away from the Dept when I had just been in the Building about one minute. Remember Supervisor Mrs Coudsoul, inform me that if I return with letter stating the fact that my income could be reduced I would be eligible for Public Welfare. The Case worker did not open her mouth when the Guard ask me to go with him.

That proper

1. Identification

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IN Deed The Plaintiff were acting properly, when
he charge The Department of Social Service with
Conspires I hope this is clear Now about The Conspires
OK next The Guard one Oglesby did Denie Plaintiff
The Right To enter a public Building after the Supervisor
inform me To Return with The Letter. I had at The Lawless
Trial. Now The City and Dorey Oglesby Tried To point out
at Trial Plaintiff Did NOT have proper ID. well I show
The Birth Certificate at Trial that The Dept of welfare
informed me To Bring pluss The very Letter had my
Social Security No. on it. pluss I did produce The card
and Birth Certificate The morning of Dec 19, 1952 so just
Let The City Explain in The answer To The Brief ^{what} ~~what~~
Kind of I Identification was needed To receive aid
after Filing Tax For 16 year From 1956 ~~yes~~ please answer
To The Charge of I.D. and Conspirese I will be Looking
specially For Those To answers and ho believe that
If I had assaulted The Guard knocking his glass off
he would have fail to charge Nathan Cooper with
assault. yes answer that Third question because if
this Lawless Trial is not Reverse I no then what
The american people can expect by all means This
Case should be Reverse.

Judge

Now The Law Less were inform by Plaintiff on Oct 17, 1975 that he had been Reversed on June 7 or 11, 1975 on his Ruling of Dec 6, 1974. Be Cause he had Fail To issue a Final Order and Be Cause of The Gerard and Gemma Brault vs. Town of Milton Docket No. 74-2370. Decided Feb 24, 75 ruling on that case made it clear that Plaintiff could sue if violation were Directed Straight on The 14 amendment Such as a case as Cooper vs Oglesby so upon the Ruling of The Second Circuit of that case I could put The 5 defendant Back Together again The District Judge Denied Plaintiff The Right To Sue The Dept of Social Service and Corporation Counselor The Judge Stated the fact I could only Sue The Two Guard in his action he chose To over Ride The Second Circuit be Cause I have a copy of The appeals Court opinion its states no Final Order were Ever intered by The District Judge There is No Doubt in my mind The Judge attempted To aid The Defendants and When Plaintiff and Co Counsel Did Pen The Guard Doyle Oglesby Down on The I.D. entification Plaintiff were asking him if I had Birth Certificate and Social Security Card and Gemma permitt then what Kind of I.D. were needed Who Would believe it The Judge Dismiss The Jurie for 5 minutes To Relieve Oglesby from being Pen Down.

Plaintiff Did Motion The Second Day of The
Lawless Trial To have DONES oglesby put Back on The
Witness Stand, The Judge Did Denie This Motion
What Can you call This if NOT The Lawless Trial.
Plaintiff have showing here 10 Different Constitution
Gross Violations and of course Reverseable Errors
I had wish To Cross ^{Examining} Mr Oglesby, about
The Identification and the assault he claimed he Recieve
and The Fact That on Sept 15 he said I Tore his coat and
on OCT 16 This Man stated he wore no coat yet he stated
Dec 22, 1972 he were on the Door and indeed he were an
he Stope me from entering a Public Building so Refured To in The
Complaint file July 2-0 1973. This Motion were Denied To have
Oglesby put Back on The Stand. yes I NO This Case must
be Reverse if Justice can be had, with out full Revalt
of Plaintiff and indeed I May as well Be among The Law
Less if those ho are Swaren in under Oath can violate
The Law as This Evil Judge have done as Remember
I am not under any Oath To service the Public as One Judge
Bonsal have Been Swarn by Ex. President John F. Kennedy
To up hold The Laws and Constitution To The UNITED STATE
of America. I will Save The Rest of my Case for The
?e plea ANSWER To The Lawless City Lawyers answer
the Brief File here in

The Concealed Perjured Testimony

The Judge you must remember did deny Plaintiff The
Right To Refuse To The Sept 9 hearing as Many Times with
In the Trial I R Requested To Refuse To The Sept 9 75 hearing
yet Denied Each Times did want To Refuse To The Fact
That Oglesby Did wear a coat on Dec 19, 1972 also The Judge
In his Charge To the Jurie did state the fact Plaintiff had
Shown no Facts, yet Plaintiff did Submit many
Records of The Bond or Bail Papers and hospital Records
My mother had Testified That She had Taken Son out of
Jail on Bail is That Not a fact When there are Proof of property
Slip I possess Today is it Not a fact That one Mr Charles
Bandy Did Testified in behalf of Plaintiff that on Plaintiff been
Taken in To arrest by Oglesby after being in Build ^{one} minute he
Testified That The White Guard were Following Nathaniel Cooper
The Judge Refuse To allow plaintiff The Right To Continue to
Submit Evidence after Trial was near ending and This had
been the only ~~2~~ avenue left To win Trial a Care Full Review
of This appeal Brief will show a Evil and corrupt system which
Cater To the wealthie There will be more on The Biase
Jurie ho' had NOT one Black ^{man} a Gross violation on The
Plaintiff Rights To Fair Trial. They were as Evil as The
Lawless Judge. This Judgment should be Revers by
ALL means The Judge did Refuse Plaintiff The Right
To Read Eny and all Papers.

Through The Report of Congressional Reports Legal Reports, Newspaper items American Civil Liberties Union files etc, still a wider investigation would, we are certain, disclose many more thousands of cases actually on record. There are also innumerable instances involving the violation of Labor's rights and the deprivation of elementary civil liberties which are committed in darkness of the judicial sanctum and of which not even an inkling ever reaches the general public. The public does not fully understand the position of the judge in respect to his immunity from exposure by the bar. Despite this economic barrier towards discovering judicial malfeasance, we feel certain that if the country's lawyers would disclose thousands of cases similar to Cooper vs. Oglesby under the circumstances we can only be surprised that judges in so many instances have brazenly made a record of their lawless malfeasance. Judges; in the decision of cases, have deliberately applied their economic principles and prejudices, rather than the existing laws. Not only have judges failed to apply the constitutional provisions so as to deprive large masses of their civil rights and individuals and minority groups but they have construed such provisions so as to deprive working labors and non-conforming minorities of their constitutional privileges. Judges have changed existing law by judicial decision thereby usurping the legislative function. Judges have used their power to interpret laws so as to emasculate statutes and prevent the intent of the legislature from being applied. Judges have declared unconstitutional laws intended to protect the people against economic exploitation.

known as the Court of Appeal

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Court of Social Welfare Social Welfare Law 11/11

The Judiciary has to all intents and purposes established
itself as dictator over the American people.

From previous experience it is clearly inimical to the Best
Interest of the people to permit Judges to Continue to Exercise
The Powers they have in the Past assumed to possess.

The Many Reversible Errors in the Cooper
VS. Oglesby Case and the Gross Error
mess that exists in the Americas have caused
much unrest amounting to scandals of the Bench
of the Court. I only ask that the United State Court give
carefully Review of the fact contain here in this
appeals Brief and Complaint file July 2, 1973 and
attachment to Complaint file Dec 16, 1974. Remember
herein there is copy of and give notice here in My
opinion and belief the miss plagemy many papers sent down
by the Court of appeal in June 3 or so.
They have not been found.

Sworn To me this — day of

1976

Notary Public

11/23/76

Respectfully Submitted

X. Nathaniel

372 Miller Ave Brooklyn
112-07

